

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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PAUL BLACK,

Plaintiff,

-against-

JEFFREY S. SCHWARTZ and LAW OFFICE
OF JEFFREY S. SCHWARTZ,

Defendants.
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LINDSAY, Magistrate Judge:

Before the court is the defendants' motion dated December 2, 2010, seeking to compel the plaintiff to respond to defendants' first set of interrogatories. Counsel for the plaintiff opposes the application and states that his client has no documents in his possession in response to defendants' document demands. In addition plaintiff requests that the court (i) grant plaintiff leave to make a motion to strike defendants' answer based on counsel's cancellation of plaintiff's rescheduled deposition, (ii) award him costs for his expenses incurred in connection with the cancellation of the deposition, (iii) order that defendants' deposition take place prior to plaintiff's deposition, (iv) assess costs and sanctions against defense counsel, and (v) extend the discovery deadlines.

The motions are denied. It is clear from the applications that counsel for the respective parties did not confer prior to making either application. Local Rule 37.3 and the undersigned's individual rules require the attorneys for the affected parties to confer in good faith in person or by telephone in an effort to resolve the disputes prior to seeking judicial intervention. Letter campaigns do not satisfy this application. Counsel for plaintiff and defendants are directed to meet and confer in good faith in an effort to resolve the issues concerning the document demands and the scheduling of the depositions.

Dated: Central Islip, New York
December 13, 2010

SO ORDERED:

_____/s_____
ARLENE ROSARIO LINDSAY
United States Magistrate Judge